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3
4 **UNITED STATES DISTRICT COURT**

5 **DISTRICT OF NEVADA**

6 UNITED STATES OF AMERICA,

)

7 Plaintiff,

)

8) 3:07-cr-00042-RCJ-WGC-1

9 vs.

)

10 JOSE LUIS TAPIA-SOTO,

)

ORDER

11 Defendant.

)

12 The Hon. Brian E. Sandoval sentenced Defendant to 120 months imprisonment, to be
13 followed by five years of supervised release. Defendant has asked the Court to reduce his
14 sentence under 18 U.S.C. § 3582(c)(2) and Amendment 782 to U.S.S.G. § 1B1.10. Because
15 Defendant was sentenced to the statutory minimum, however, no retroactive amendment to the
16 guideline range can aid him. *See, e.g., United States v. Sykes*, 658 F.3d 1140, 1146 (9th Cir.
17 2011).

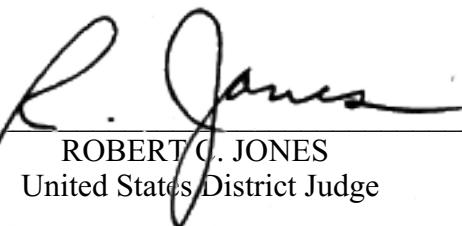
18 **CONCLUSION**

19 IT IS HEREBY ORDERED that the Motion for a Sentence Reduction (ECF No. 26) is
20 DENIED.

21 IT IS FURTHER ORDERED that the Motion to Withdraw (ECF No. 30) is GRANTED.

22 IT IS SO ORDERED.

23 Dated this 26th day of August, 2015.


24 ROBERT C. JONES
25 United States District Judge